

RULE 63 (37 C.F.R. 1.63)
DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NON-GELATIN CAPSULE SHELL FORMULATION the specification of which (check applicable box(es)):

- ☒ is attached hereto.
☐ was filed on _____ as U.S. Application Serial No. _____
☐ was filed as PCT international application No. PCT/_____/_____/_____ on _____ and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s): Application Number	Country	Day/Month/Year Filed
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I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:

Prior Provisional Application(s): Application Serial No.	Day/Month/Year Filed
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I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1) Inventor's Signature	<u>Linus G. Fonkwe</u>	Date	<u>12/21/2001</u>
Inventor's Name (typed)	<div style="display: flex; justify-content: space-between;"> Linus G. Fonkwe </div> <div style="display: flex; justify-content: space-between;"> First Middle Initial Family Name </div>		Cameroon Citizenship
Residence (City)	High Point	State/Foreign Country)	NC USA
Post Office Address	<u>3981 River Pointe Place, Apt. 111</u>	Zip Code	<u>27265</u>
2) Inventor's Signature		Date	
Inventor's Name (typed)	<div style="display: flex; justify-content: space-between;"> Don A. Archibald </div> <div style="display: flex; justify-content: space-between;"> First Middle Initial Family Name </div>		USA Citizenship
Residence (City)	Jamestown	State/Foreign Country)	NC USA
Post Office Address	4 Havershire Ct	Zip Code	27282
3) Inventor's Signature		Date	
Inventor's Name (typed)	<div style="display: flex; justify-content: space-between;"> Aristippos Gennadios </div> <div style="display: flex; justify-content: space-between;"> First Middle Initial Family Name </div>		Greece Citizenship
Residence (City)	Greensboro	State/Foreign Country)	NC USA
Post Office Address	17 Topridge Court	Zip Code	27407-5110

FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.

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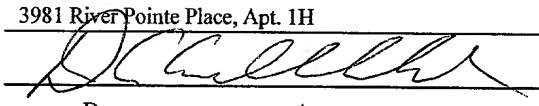
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1) Inventor's Signature _____		Date _____
Inventor's Name (typed)	Linus G. Fonkwe First Middle Initial Family Name	Cameroon Citizenship
Residence (City)	High Point	State/Foreign Country) NC USA
Post Office Address	3981 River Pointe Place, Apt. 1H	Zip Code 27265
2) Inventor's Signature 		Date 1/2/2002
Inventor's Name (typed)	Don A. Archibald First Middle Initial Family Name	USA Citizenship
Residence (City)	Jamestown	State/Foreign Country) NC USA
Post Office Address	4 Havershire Ct	Zip Code 27282
3) Inventor's Signature _____		Date _____
Inventor's Name (typed)	Aristippos Gennadios First Middle Initial Family Name	Greece Citizenship
Residence (City)	Greensboro	State/Foreign Country) NC USA
Post Office Address	17 Topridge Court	Zip Code 27407-5110

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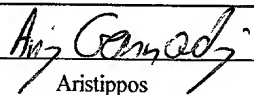
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1) Inventor's Signature _____		Date _____								
Inventor's Name (typed)	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">Linus</td> <td style="width: 33%;">G.</td> <td style="width: 33%;">Fonkwe</td> </tr> <tr> <td>First</td> <td>Middle Initial</td> <td>Family Name</td> </tr> </table>	Linus	G.	Fonkwe	First	Middle Initial	Family Name	<table border="0" style="width: 100%;"> <tr> <td>Cameroon</td> </tr> <tr> <td>Citizenship</td> </tr> </table>	Cameroon	Citizenship
Linus	G.	Fonkwe								
First	Middle Initial	Family Name								
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Citizenship										
Residence (City)	High Point	State/Foreign Country) NC USA								
Post Office Address	3981 River Pointe Place, Apt. 1H	Zip Code 27265								
2) Inventor's Signature _____		Date _____								
Inventor's Name (typed)	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">Don</td> <td style="width: 33%;">A.</td> <td style="width: 33%;">Archibald</td> </tr> <tr> <td>First</td> <td>Middle Initial</td> <td>Family Name</td> </tr> </table>	Don	A.	Archibald	First	Middle Initial	Family Name	<table border="0" style="width: 100%;"> <tr> <td>USA</td> </tr> <tr> <td>Citizenship</td> </tr> </table>	USA	Citizenship
Don	A.	Archibald								
First	Middle Initial	Family Name								
USA										
Citizenship										
Residence (City)	Jamestown	State/Foreign Country) NC USA								
Post Office Address	4 Havershire Ct	Zip Code 27282								
3) Inventor's Signature 		Date 12/21/2001								
Inventor's Name (typed)	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">Aristippos</td> <td style="width: 33%;">Gennadios</td> <td style="width: 33%;">Greece</td> </tr> <tr> <td>First</td> <td>Middle Initial</td> <td>Family Name</td> </tr> </table>	Aristippos	Gennadios	Greece	First	Middle Initial	Family Name	<table border="0" style="width: 100%;"> <tr> <td>Citizenship</td> </tr> </table>	Citizenship	
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FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fonkwe, et al.
For: NON-GELATIN CAPSULE SHELL FORMULATION
Filed concurrently herewith.
Serial Number to be assigned.

Commissioner for Patents
Washington, D.C. 20231

POWER OF ATTORNEY

Sir:

The undersigned, assignee of the entire interest in and to an application of Linus G. Fonkwe, Don A. Archibald, and Aristippos Gennadios for U.S. Letters Patent for a NON-GELATIN CAPSULE SHELL FORMULATION, by assignment documents being recorded contemporaneously herewith, hereby appoints: LOUIS T. ISAF Reg. No. 29,078; JAMES F. VAUGHAN Reg. No. 31,889; STEVEN D. KERR Reg. No. 32,472; D. SCOTT SUDDERTH Reg. No. 34,026; MICHAEL A. CICERO Reg. No. 34,562; JOHN J. TIMAR Reg. No. 32,497; STEVEN L. SCHMID Reg. No. 39,358; DAVID J. HAYZER Reg. No. 43,329; DAVID S. BRADIN Reg. No. 37,783; JACQUELYN D. AUSTIN Reg. No. 43,478; CARL B. MASSEY, JR. Reg. No. 44,224; BRIAN J. HAIRSTON Reg. No. 46,750; THOMAS B. MCGURK, Reg. No. 44,920; KATHLEEN NEUNER MANNE, Reg. No. 40,101; WILLIAM A. CAPP, Reg. No. P-49,037; C. ROBERT RHODES, Reg. No. 24,200; JACK B. HICKS, Reg. No. 34,180; JEFFREY R. MCFADDEN, Reg. No. 46,916; LEWIS S. ROWELL, Reg. No. 45,469; and CRAIG H. POPALIS Reg. No. 49,028, with the firm of Womble Carlyle Sandridge & Rice, PLLC, as my attorneys and/or agents with full power of substitution and revocation, to prosecute

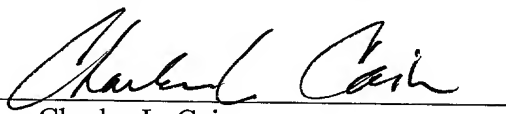
this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Furthermore, in accordance with 37 CFR '3.73(b), the undersigned hereby states that the documentary evidence of a chain of title from the original owner to the assignee, i.e. assignment document referenced above, has been reviewed and the undersigned certifies that, to the best of assignee's knowledge and belief, title is in assignee who seeks to prosecute this application.

PLEASE ADDRESS ALL COMMUNICATIONS AND TELEPHONE CALLS TO:

Jack B. Hicks, Esq.
Womble Carlyle Sandridge & Rice, PLLC
300 N. Greene Street
Suite 1900
Greensboro, NC 27401
Tel: 336-574-8050

BANNER PHARMACAPS, INC.

By: 
Charles L. Cain
Senior Vice President, Legal and Public Affairs

Date: 1/4/02

Attorney File No.: 4700-083 (04700.467.4)